



**ARIZONA STATE SENATE**  
*Fifty-Second Legislature, Second Regular Session*

FACT SHEET FOR H.B. 2375

crime victims' rights; facility dog

Purpose

Requires the court to allow minor victims to have a facility dog when testifying in court and permits the court to allow them under other circumstances, as specified.

Background

In 1990, Arizona voters passed Proposition 104, a ballot initiative amending the State Constitution, providing for a Victims' Bill of Rights. In 1991, the Arizona Legislature passed statutes to define and implement the rights accorded to victims of crime under Article II, Section 2.1 of the Arizona Constitution. These rights include, among other things: 1) the right to be treated with fairness, respect and dignity, and to be free from intimidation, harassment or abuse, throughout the criminal justice process; 2) the right to be informed of victims' constitutional rights; 3) the right to be heard at any proceeding involving a post-arrest release decision, a negotiated plea and sentencing; and 4) the right to a speedy trial or disposition and prompt and final conclusion of the case after the conviction and sentence. A *victim* is a person against whom a criminal offense has been committed, including a minor, or if that person is killed or incapacitated, the person's spouse, parent, child, grandparent, sibling or any other person related to that person.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the court to allow a victim under 18 years of age to have a facility dog, if available, accompany the victim while testifying in court.
2. Requires a party seeking the use of a facility dog to file a notice with the court that includes:
  - a) the certification of the facility dog;
  - b) the name of the person or entity who certified the dog; and
  - c) evidence that the facility dog is insured.
3. Permits the court to allow a victim who is 18 years of age or older or a witness to use a facility dog.

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4. Requires the court to instruct the jury on the role of the facility dog and that it is a trained animal, to ensure that its presence does not influence the jury or is not a reflection on the truthfulness of any testimony offered by the victim or witness.
5. Defines *facility dog* as a dog that is a graduate of an assistance dog organization that is a member of an organization or entity whose main purpose is to:
  - a) improve the areas of training, placement and utilization of assistance dogs, staff and volunteer education; and
  - b) establish and promote standards of excellence in all areas of assistance dog acquisition, training and partnership.
6. Contains a legislative intent clause.
7. Becomes effective on the general effective date.

House Action

JUD	1/20/16	DP	5-0-0-1
3 <sup>rd</sup> Read	2/4/16		57-0-3

Prepared by Senate Research

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AW/rf